

LABOR SERVICES DIVISION[875]

Adopted and Filed

Rule making related to beryllium standards

The Labor Commissioner hereby amends Chapter 10, “General Industry Safety and Health Rules,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code section 88.5.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code chapter 88.

Purpose and Summary

The Labor Commissioner is required by state law to adopt by reference changes to federal occupational safety and health standards. This rule making adopts the most recent in a series of changes to the occupational health standards concerning exposure to beryllium. The changes adopted by the federal Occupational Safety and Health Administration amend numerous definitions and clarify that certain methods of employee protection are not mandated where only trace amounts of beryllium are present.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on August 15, 2018, as **ARC 3955C**. No public comments were received. No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the Commissioner on September 20, 2018.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa. It is anticipated that compliance costs will be reduced for aluminum production facilities and coal-fired utilities as a result of these changes.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Commissioner for a waiver of the discretionary provisions, if any, pursuant to 875—Chapter 5.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on November 14, 2018.

The following rule-making action is adopted:

Amend rule **875—10.20(88)** by inserting the following at the end thereof:
83 Fed. Reg. 19948 (May 7, 2018)

[Filed 9/20/18, effective 11/14/18]

[Published 10/10/18]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 10/10/18.